



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.

(1)
Lucero Guadalupe Sanchez
- Lopez
Defendant.

Criminal No.

17mj 2036-BLM

DETENTION ORDER

A. **Order For Detention**

After conducting a detention hearing pursuant to 18 U.S.C. §3142(f) of the Bail Reform Act, the Court orders the above named defendant detained without bail pursuant to 18 U.S.C. §3142(e) and (i).

B. **Statement of Reasons For the Detention**

The Court orders the defendant's detention because it finds:

X

By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.

By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community.

C. **Findings of Fact**

The Court's findings are based on the evidence presented to the Court, including the criminal complaint and attorney proffer(s), and the information contained in the Pretrial Services Report. After considering all of the relevant information and evidence, the Court finds as follows:

(1) Nature and circumstances of the offense charged:

☒ (a) The offense charged: consp to distribute for the purpose of unlawful importation of cocaine
is a serious crime and carries a maximum penalty of Life

☒ and a mandatory minimum sentence of 10 years.

☐ (b) The offense is a crime of violence.

☐ (c) The offense is a federal crime of terrorism listed in 18 U.S.C.

§2332b(g)(5)(B) for which the maximum term of imprisonment is 10 years or more.

☒ (d) The offense involves a narcotic drug.

☒ (e) The offense involves a large amount of controlled substances, to wit:

75 kg cocaine + large amounts of cash

(2) Weight of the evidence against the defendant. The Court acknowledges that this is the least significant factor but finds as follows:

☒ (a) There is probable cause to believe the named defendant committed the charged offense.

☐ (b) The evidence against the defendant is strong including that _____

(3) History and characteristics of the defendant:

☐ The defendant appears to have a mental condition which may affect whether the defendant will appear.

☒ The defendant has no/limited family ties to the community.

☒ The defendant is not a long time resident of the community.

☒ The defendant does not have significant community ties.

☒ The defendant has significant family ties to Mexico.

☒ The defendant has other significant ties to Mexico.

-D has close ties to the Guzman Drug Organization
is alleged to have

☒ The defendant does not have steady employment in the United States.

☒ The defendant does not have substantial financial resources or assets in the United States.

☐ The defendant did not present any/a sufficient bond proposal.

☒ Past conduct of the defendant: *Δ tried to flee back to MX after her detention/arrest in this case + resisted officers' efforts to stop her.*

☐ The defendant has a history relating to drug abuse.

☐ The defendant has a history relating to alcohol abuse.

☐ The defendant has a significant prior criminal record.

☐ The defendant has a prior record of failure to appear at court proceedings.

☐ The defendant has a prior record of probation, parole or supervised release violations and/or revocations.

☒ The defendant is an illegal alien and is subject to deportation.

☐ The defendant is a legal alien and will be subject to deportation if convicted.

☒ Other: *Δ's BCC was cancelled due to her close ties to the Guzman drug org + the allegation that she used false ID to visit him in MX prison. She is charged w/ a crime in MX for this conduct*

☐ At the time of the current arrest, the defendant was on:

☐ Probation ☐ Parole

☐ Release pending trial, sentence, appeal or completion of sentence.

(4) The nature and seriousness of the danger posed by the defendant's release are as follows: _____

1 (5) Rebuttable Presumptions

2 In determining that the defendant should be detained, the Court also relied on the
3 following rebuttable presumption(s) contained in 18 U.S.C. §3142(e) which the Court finds
4 the defendant has not rebutted.

5 _____ (a) That no condition or combination of conditions will reasonably assure the
6 safety of any other person and the community because the Court finds that the crime involves:

7 _____ (A) A crime of violence or a crime listed in 18 U.S.C.
8 §2332b(g)(5)(B) for which the maximum sentence is 10 years or more; or

9 _____ (B) An offense for which the maximum penalty is life imprisonment
10 or death; or

11 _____ (C) A controlled substance violation which has a maximum penalty
12 of 10 years or more; or,

13 _____ (D) A felony after the defendant had been convicted of two or more
14 offenses described in (A) through (C) above,

15 AND the defendant has a prior conviction for one of the crimes mentioned in
16 (A) through (C) above, which was committed while the defendant was on
17 pretrial release and no more than five years have passed since his release
18 from imprisonment for that crime.

19 X (b) That no condition or combination of conditions will reasonably assure the
20 appearance of the defendant as required and the safety of the community
21 because the Court finds that there is probable cause to believe:

22 X (A) That the defendant has committed a controlled substance
23 violation which has a maximum penalty of 10 years or more.

24 _____ (B) That the defendant has committed an offense under 18 U.S.C.
25 §§924(c), 956(a) or 2332b.

26 _____ (C) That the defendant has committed an offense listed in 18 U.S.C.
27 §2332b(g)(5)(B) which has a maximum penalty of 10 years or more.

28 _____ (D) That the defendant has committed an offense involving a minor
victim under 18 U.S.C. §§1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251,
2251A, 2252(a)(1), (2) or (3), 2252A(a)(1), (2), (3) or (4), 2260, 2421, 2422,
2423 or 2425.

24 D. **Additional Directives**

25 IT IS ORDERED that the defendant be committed to the custody of the Attorney General
26 or his designated representative for confinement in a corrections facility separate, to the extent
27 practicable, from persons awaiting or serving sentences or being held in custody pending appeal.
28 The defendant shall be afforded a reasonable opportunity for private consultation with his counsel.

1 While in custody, on order of a court of the United States or on request of an attorney for
2 the government, the person in charge of the corrections facility shall deliver the defendant to a
3 United States Marshal for the purpose of an appearance in connection with a court proceeding or
4 any other appearance stipulated to by defense and Government counsel.

5 This order is made without prejudice to modification by this Court.

6 IT IS SO ORDERED.

7 Dated: 6/29/17

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9 BARBARA L. MAJOR
United States Magistrate Judge

10 cc: District Judge
11 All Counsel of Record
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